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Department of Telecommunications and Information Services  
City and County of San Francisco

# NOTICE

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## REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, January 26, 2004, 5:30 PM

City Hall

on B. Goodlett Place, Room 400

5/S

### AGENDA

four action items on this agenda.  
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off during the duration of the meeting.

may address the Commission for up to three  
e "Public Comment" item on the agenda.

### CALL

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San Francisco Public Library  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

### 2) APPROVAL OF THE MINUTES

### ACTION ITEMS

(Commissioners will vote to adopt the minutes. The handout associated with this item are the minutes from the July 25, 2003 special meetings, and minutes of August 25, 2003 regular meeting.)

option of the minutes of the special meeting of July 25, 2003, recessed September 22, 2003, recessed to October 16, 2003, recessed to November 3, 2003, recessed to November 24, 2003, and adjourned on November 17, 2003.

Communications Commission  
2004

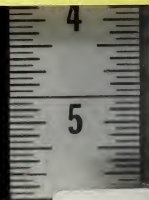
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## **NOTICE**

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### **REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO**

JAN 26 2004

SAN FRANCISCO  
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Monday, January 26, 2004, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

#### **AGENDA**

There are four action items on this agenda.

All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three minutes during the "Public Comment" item on the agenda.

#### **1) CALL TO ORDER, ROLL CALL**

Kimberlee S. Bogen, President  
J. Michael Myatt, Vice President  
Sunil Daluvoy, Commissioner  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

#### **2) APPROVAL OF THE MINUTES**

#### **ACTION ITEMS**

(Commissioners will vote to adopt the minutes. The handout associated with this item are the minutes from the July 25, 2003 special meetings, and minutes of August 25, 2003 regular meeting.)

- a) Adoption of the minutes of the special meeting of July 25, 2003, recessed to September 22, 2003, recessed to October 16, 2003, recessed to November 3, 2003, recessed to November 24, 2003, and adjourned on December 17, 2003.

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

**b) Adoption of the Minutes – August 25, 2003 Regular Meeting**

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

**3) COMMUNICATIONS**

**FOR DISCUSSION ONLY**

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

**4) DIRECTOR'S REPORT (Lewis Loeven)**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Executive Director):

• **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

**5) DEPUTY DIRECTOR'S POLICY REPORT**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

**6) NEW BUSINESS**

**a. Commission Officer Election – President**

**ACTION ITEM**

(The Commission will vote for the new President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

**b. Commission Officer Election – Vice President      ACTION ITEM**

(The Commission will vote for the new Vice President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

**7) CALENDAR MATTERS**

**FOR DISCUSSION ONLY**

(There is a handout associated with these items.)

- The special meeting of the Telecommunications Commission is scheduled for February 9, 2004 to discuss the Draft of the Telecommunications Plan Update.
  - Public Testimony
  - Commissioners' Comments
- The regular meeting of the Telecommunications Commission is scheduled for February 23, 2004, City Hall, Room 400.
  - Public Testimony
  - Commissioners' Comments

**8) GENERAL PUBLIC TESTIMONY**

**FOR DISCUSSION ONLY**

**9) ADJOURNMENT**

## **COMMUNICATIONS PAGE**

### **COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS**

1. Agenda of the January 26, 2004 Commission meeting.
2. Draft minutes of the July 25, 2003 recessed to September 22, 2003, recessed to October 16, 2003, recessed to November 3, 2003, recessed to November 24, 2003, and adjourned on December 17, 2003.
3. Draft minutes of the August 25, 2003 regular meeting.
4. Deputy Director's report.

### **COMMUNICATIONS RECEIVED FROM THE PUBLIC** **October 3, 2003-January 10, 2004**

1. A producer sent 14 e-mails to the Telecommunications Commission from September 18, 2003-December 15, 2003 regarding management issues of Public Access Channel 29, and the cancellation of Regular Meetings of the Telecommunications Commission in lieu of Special Meetings to work on the Telecommunications Plan Update.
2. Letter received from cable subscriber who is distraught by the unresponsiveness of Comcast's customer service, the frequency of cable service disruption, and a desire to receive a current list of cable channels in the area.
3. Copy of e-mail from SF Mayor's Office to public access producer responding to inquiries about the policy changes in public access television and the San Francisco Community Television Corporation.
4. E-mail received from RCN cable subscriber upset by conflicting information received from customer service regarding options to reduce the subscriber's bill.
5. E-mail received from cable subscriber having trouble with Comcast cable TV and high-speed internet access.

### **Please Note:**

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit [www.sfgov.org](http://www.sfgov.org) and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5<sup>th</sup> Floor, San Francisco, CA 94103 or emailed to [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5<sup>th</sup> Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
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### **Commission Information:**

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- The Telecommunications Commission web site address is [www.sfgov.org/telecommunications Commission](http://www.sfgov.org/telecommunications_Commission).

## SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna\_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at [www.ci.sf.ca.us/ethics/](http://www.ci.sf.ca.us/ethics/)

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## DISABILITY ACCESS

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**REGULAR MEETING OF THE  
TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT  
MINUTES**

DOCUMENTS DEPT.

FEB 23 2004

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January 26, 2004

CITY HALL

ROOM 400  
5:30 P.M.

**COMMISSIONERS**

**Kim Bogen, President  
J. Michael Myatt, Vice President  
Sunil V. Daluvoy  
Elizabeth Inadomi  
Michael Rouan**

**Helen Danina, Commission Secretary**

**Lewis Loeven III, Executive Director  
DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES (DTIS)**

President Bogen dedicated this hearing in honor of Millhar Chin, mother of Jack Chin, Operations Manager, SFGTV.

## **1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen  
Vice President J. Michael Myatt  
Commissioner Sunil V. Daluvoy  
Commissioner Elizabeth Inadomi  
Commissioner Michael Rouan

## **2. APPROVAL OF THE MINUTES OF JULY 25, 2003**

- a. Adoption of the minutes of the special meeting of July 25, 2003, recessed to September 22, 2003, recessed to October 16, 2003, recessed to November 3, 2003, recessed to November 24, 2003, and adjourned on December 17, 2003.**

President Bogen made a motion, seconded by Vice President Myatt, to approve the minutes of July 25, 2003. The Commission moved to adopt the minutes with five ayes [Bogen, Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

### **b. Adoption of the Minutes – August 25, 2003 Regular meeting**

Vice President Myatt made a motion, seconded by President Bogen, to approve the minutes of August 25, 2003. The Commission moved to adopt the minutes with five ayes [Bogen, Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

## **3. COMMUNICATIONS**

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.

Both Commissioners Myatt and Rouan, thought that the e-mail sent by Former Mayor Willie Brown to a producer regarding the recent policy changes at public access

television and the San Francisco Community Television Corporation (SFCTC) answered the concerns of some of the producers, and that document should be made readily available. (This document is posted on the Commission's website [http://www.sfgov.org/site/telecommunications\\_commission\\_index.asp](http://www.sfgov.org/site/telecommunications_commission_index.asp))

#### **4. DIRECTOR'S REPORT**

Executive Director Loeven gave the following overview regarding Telecommunications Plan, Cable Community Needs Assessment RFP, and DTIS Activities.

##### Telecommunications Plan

- Brian Roberts, DTIS Senior Policy Analyst, has received suggestions about the draft of the Telecommunications Plan from the Telecommunications Commissioners, which he will incorporate into the next draft for discussion.
- The Commission will hold an additional workshop relating to the Telecommunications Plan Update on February 9, 2004 at the DTIS office.
- The Commission plans to present a draft of the Telecommunications Plan Update at its regular meeting of February 23, 2004.
- Executive Director Loeven commended Brian Roberts for his diligence in working on the draft document.

##### Cable Community Needs Assessment RFP

- The RFP relates to the impending renewal process of the cable franchise.
- DTIS received a number of proposals in response to its RFP to conduct public participation about the Cable Community Needs Assessment on January 21, 2004.
- A review panel, including Commissioners, DTIS staff and members of the public, will evaluate the proposals to select a consultant.

##### DTIS Activities

- DTIS organized GIS DAY on November 19, 2003 at City Hall. DTIS and various departments showed the use of GIS throughout the City.
- CrimeMAPS, a leading crime analysis and mapping program was shown. It was developed by DTIS in collaboration with the Police Department. CrimeMAPS allows users to see locations and types of crimes committed to allow better planning and resource allocation.
- DTIS introduced a pilot translation service that offers translation of SFGov.org web content into Chinese, French, German, Korean, Japanese, and Spanish.
- An agreement was made with SBC to provide cost savings for high capacity data lines and local service for city wide services.
- Mayor Newsom convened the Disaster Council on January 9, 2004. The Council is charged with ensuring the City's readiness. In recognition of the importance of telecommunications information technology in responding to disaster, the

Director of DTIS and the Director of Emergency Communications Department are full members of the Council.

Public Testimony: None

Commissioner Inadomi commended Brian Roberts for incorporating all of the comments of the Commissioners into a unified and coherent document.

## 5. DEPUTY DIRECTOR'S POLICY REPORT

In her report, the Deputy Director Brady addressed: Legislative Analyst Report on Digital Divide, Legislative Analyst Report on Cellular Antennae Siting, and the Federal Communications Commission Voice Over IP (VOIP) Forum.

### Legislative Analyst Report on Digital Divide

- January 22, 2004, the BOS Legislative Analyst released a report about a "Digital Divide" in San Francisco.
- The report concluded that 1) San Franciscans have relatively good access to computers and the Internet, and 2) Residents in Districts 3 [Supervisor Aaron Peskin], 10 [Supervisor Sophie Maxwell] and 11 [Supervisor Gerardo Sandoval] have less Internet access.
- See [http://www.ci.sf.ca.us/site/bdsupvrs\\_page.asp?id=22423](http://www.ci.sf.ca.us/site/bdsupvrs_page.asp?id=22423) for a copy of the report.

### Legislative Analyst Report on Cellular Antennae Sitings

- On November 12, 2003, the Legislative Analyst released its report analyzing model municipal practices, cellular antennas siting, and the feasibility of an antennae installation moratorium.
- Legislative Analyst recommended that the Board of Supervisors pass a resolution urging the Planning Department to modify its Wireless Tower Siting Guidelines to include provisions such as:
  - 1) require wireless providers to pay for periodic scientific measurement of radiofrequency (RF) radiation and service coverage;
  - 2) define explicitly "adequate coverage" and "adequate capacity" and require wireless service providers to demonstrate that existing antennae do not allow them to meet the standard;
  - 3) coordinate with the Metropolitan Transportation Authority and the Department of Public Works to mount antennae on city-owned MUNI or utility poles in high-density corridors,
  - 4) propose fees to support ongoing revisions to the Guidelines as well as compliance monitoring of existing antennae.
- See [http://www.ci.sf.ca.us/site/bdsupvrs\\_page.asp?id=21242](http://www.ci.sf.ca.us/site/bdsupvrs_page.asp?id=21242) for the full report and recommendations.

#### FCC Voice over IP (VOIP) Forum

- On December 1, 2003, the FCC held an all-day VoIP Forum to gather information about advancements, innovations, and regulatory issues related to VoIP services.
- Conducted as a series of panel discussions, participants provided technical tutorials and comprehensive public policy analysis.
- See <http://www.fcc.gov/voip/> for more information and an archived webcast of the forum.

Deputy Brady stated that the FCC might be opening a formal rulemaking soon on VoIP. Since VoIP is not defined as a particular service, it is unclear what the ramifications would be on current regulations on programs, such as 911.

Public Comments: None

Commissioner Inadomi asked whether the City will submit comments as part of the rulemaking process on VoIP. Deputy Director Brady responded that the City would work through national associations, such as the National Association of Telecommunications Officers and Advisors (NATOA).

Deputy Director Brady informed Commissioner Daluvoy that the City has a pilot project on VoIP at the Recreations and Parks Department that is being monitored, and that an analysis of the program will be made.

President Bogen asked Deputy City Attorney Lisa Gelb to brief Commission Daluvoy on the contract language and applications of bankruptcy law as pertained to RCN.

Deputy City Attorney, Lisa Gelb stated that as long as the public has a right to speak about each agenda item, the order of occurrence, whether before the Commissioners' comments or after the Commissioners' comments, is not important.

## **6. NEW BUSINESS**

### **a) Commission Officer Election – President**

President Bogen nominated Commissioner J. Michael Myatt for President of the Telecommunications Commission, seconded by Commissioner Rouan.

Public Testimony: None.

Commissioners' Comments: None.

#### Action Taken

The Commission elected Commissioner Myatt as President until June 30, 2004 with four ayes [Bogen, Daluvoy, Inadomi, Rouan]; none opposed.

## **b) Commission Officer Election – Vice President**

President Elect Myatt nominated Commissioner Daluvoy as Vice President of the Telecommunications Commission, seconded by Commissioner Inadomi.

Public Testimony: None

Commissioners' Comments: None.

### Action Taken

The Commission elected Commissioner Daluvoy as Vice President of the Telecommunications Commission until June 30, 2004 with four ayes [Bogen, Indomi, Myatt, Rouan]; none opposed.

President Elect Myatt thanked Former President Bogen for her achievements in leading the Commission and DTIS in the renewal of public access channel that brought some order to the process, and for the development of the Telecommunications Plan Update. It is anticipated that the Telecommunications Plan Update will be presented to the public for discussion after an additional workshop.

Former President Bogen stated that she was honored to serve on this Commission in the public interest and for the public good, and looks forward to working with the Commissioners.

## **7. CALENDAR MATTERS**

- The special meeting of the Telecommunications Commission is scheduled for February 9, 2004 to discuss the Draft of the Telecommunications Plan Update.

Public testimony -- none.

Commissioners' comments – none.

- The regular meeting of the Telecommunications Commission is scheduled for February 23, 2004, City Hall, Room 400.

Public testimony – none.

Commissioners' comments – none.

Former President Bogen thanked three members of DTIS Policy, Planning and Compliance Division: Heidi Sieck, an enthusiastic proponent of new technology who successfully advocated against 415 area code overlay before the CPUC; Brian Wilson for his work on the public access channel grant process, and the community needs assessment; Brian Roberts, the drafter of the Telecommunications Plan and Telecommunications Plan Update; and, finally, Jack Chin, Operations Manager, and

staff at SFGTV for putting the Telecommunications Commission hearing on the air.

#### **8. GENERAL PUBLIC TESTIMONY**

None.

#### **9. ADJOURNMENT**

President Bogen adjourned the meeting at 6:30 p.m.

Respectfully submitted,

---

Helen C. Danina



# **NOTICE**

## **SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO**

Monday, February 9, 2004

Department of Telecommunications and Information Services (DTIS)

875 Stevenson Street, 5<sup>th</sup> Floor

San Francisco, CA 94102

Learning Resource Center

**WORKSHOP**

5:30 p.m.

### **AGENDA**

There are no action items on this agenda.

All items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff. During public comments, members of the public may comment on topics to be discussed at the workshop.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

#### **1) CALL TO ORDER, ROLL CALL**

President J. Michael Myatt  
Vice President Sunil Daluvoy  
Commissioner Kimberlee S. Bogen  
Commissioner Elizabeth Inadomi  
Commissioner Michael Rouan

#### **2) PUBLIC TESTIMONY**

#### **3) NEW BUSINESS**

**FOR DISCUSSION ONLY**

a) **Telecommunications Plan Update**  
(There is a handout associated with this item.)

b) **Topics for 2004**  
(There is a handout associated with this item.)

**4) ADJOURNMENT**

## COMMUNICATIONS PAGE

### COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the February 9, 2004 Commission meeting;
2. Telecommunications Plan Update Draft;
3. Topics for 2004

**Please Note:**

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Lobbyist Registration and Reporting Requirements: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Government Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone 415/581-2300, fax 415/581-2317 or web site: [sfgov.org/ethics](http://sfgov.org/ethics).

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# TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## **DRAFT MINUTES**

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FEB 23 2004

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February 9, 2004

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES  
875 Stevenson Street, 5<sup>th</sup> floor  
San Francisco

Resource Room  
Special Meeting  
WORKSHOP  
5:30 P.M.

Workshop participants are Commissioners and City Staff. During public comments, members of the public may comment on topics to be discussed at the workshop.

### COMMISSIONERS

J. Michael Myatt, President  
Sunil V. Daluvoy, Vice President  
Kimberlee S. Bogen  
Elizabeth Inadomi  
Michael Rouan

Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director  
DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES (DTIS)

## **1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order by President Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President J. Michael Myatt  
Vice President Sunil Daluvoy  
Commissioner Kimberlee S. Bogen  
Commissioner Elizabeth Inadomi  
Commissioner Michael Rouan

## **2. PUBLIC TESTIMONY**

There was no public testimony.

## **3. NEW BUSINESS**

- **Telecommunications Plan Update**

President Myatt and Commissioner Inadomi introduced the revised draft of the Telecommunications Plan Update that included an Executive Summary. After some discussion and changes, the Commission agreed to present the attached draft at the February 23, 2004 regular meeting of the Telecommunications Commission in City Hall, Room 400, 5:30 p.m.

The Commissioners listed the speakers to be invited to the February 23, 2004 hearing, to address the Telecommunications Plan Update draft and respond to it.

Heidi Sieck, DTIS Policy Analyst, and Commissioners discussed the timeline for disseminating of the Telecommunications Plan Update to the public, to City Departments and elected officials, to State and Federal agencies, and to businesses.

- **Topics for 2004**

President Myatt discussed the list of topics for 2004 that DTIS provided. He asked the Commissioners to respond with their comments about the timing and to indicate the topic of their interest by the end of the week.

## **4. ADJOURNMENT**

President Myatt adjourned the meeting at 8:30 p.m..

Respectfully submitted,





# **NOTICE**

## **REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO**

Monday, February 23, 2004, 5:30 PM  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 400

### **AGENDA**

There are two action items on this agenda.  
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pagers be turned off during the duration of the meeting.

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minutes during the "Public Comment" item on the agenda.

#### **1) CALL TO ORDER, ROLL CALL**

J. Michael Myatt, President  
Sunil Daluvoy, Vice President  
Kimberlee S. Bogen, Commissioner  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

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#### **2) APPROVAL OF THE MINUTES**

#### **ACTION ITEMS**

(Commissioners will vote to adopt the minutes. The handout associated with these  
items are the minutes from the January 26, 2004 regular meeting, and February 9,  
2004 special meeting.)

##### **a) Adoption of the Minutes - January 26, 2004 Regular Meeting.**

- Public Testimony
- Commissioners' Comments

## **b) Adoption of the Minutes – February 9, 2004 Special Meeting**

- Public Testimony
- Commissioners' Comments

## **3) COMMUNICATIONS**

**FOR DISCUSSION ONLY**

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

## **4) DIRECTOR'S REPORT (Lewis Loeven)**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Executive Director):

- **Budget**
- **Community Needs Assessment**
- **VoIP test**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

## **5) DEPUTY DIRECTOR'S POLICY REPORT**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

## **6) NEW BUSINESS**

**Hearing on the Telecommunications Plan Update FOR DISCUSSION ONLY**

### **a. Presentation of Telecommunications Plan Draft Update**

(There is a handout associated with this item.)

### **b. Comments from the Speakers regarding Telecommunications Plan Draft Update**

**Safety and Security:**

- Alex E. Fagan, Director, Office of Emergency Services
- Daniel Sullivan, Director, Department of Emergency Communications
- Kirk Bailey, Chief Information Security Officer, City of Seattle
- Robert D. Rodriguez, Assistant Special Agent in Charge, U.S. Secret Service

#### **Economic Development:**

- Commissioner Sunil Daluvoy, Telecommunications Commission

#### **Equal Access:**

- Susan Mizner, Acting Director, Mayor's Office of Disability
- Chester Williams, Vocational Skills Program Manager, Western Addition Community Technology Center
- Public Testimony
- Commissioners' Comments

### **7) CALENDAR MATTERS**

(There is no handout associated with these items.)

- The regular meeting of the Telecommunications Commission is scheduled for March 22, 2004 in City Hall, Room 400, 5:30 p.m.
- Public Testimony
- Commissioners' Comments

### **8) GENERAL PUBLIC TESTIMONY**

**FOR DISCUSSION ONLY**

### **9) ADJOURNMENT**

## **COMMUNICATIONS PAGE**

### **COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS**

1. Agenda of the February 23, 2004 Commission meeting.
2. Draft minutes of the regular meeting of January 26, 2004.
3. Draft minutes of the special meeting of February 9, 2004.
4. Draft of the Telecommunications Plan Update.
5. Deputy Director's report.

### **COMMUNICATIONS RECEIVED FROM THE PUBLIC**

**January 11, 2004 – February 17, 2004**

1. E-mailed received from RCN cable subscriber who has not been able to resolve a dispute about a charge of \$49.95 related to cable modem service.

**Please Note:**

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit [www.sfgov.org](http://www.sfgov.org) and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5<sup>th</sup> Floor, San Francisco, CA 94103 or emailed to [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5<sup>th</sup> Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

**Commission Information:**

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- The Telecommunications Commission web site address is [www.sfgov.org/telecommunications Commission](http://www.sfgov.org/telecommunications_Commission).

## SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

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## DISABILITY ACCESS

San Francisco City Hall is wheelchair accessible. The closest BART station is the Civic Center station, located at the intersection of Grove, Hyde, and Market Streets. Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415 923-6142.

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City and County of San Francisco  
Telecommunications Commission  
ANNOUNCEMENT

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**TELECOMMUNICATIONS PLAN DRAFT UPDATE**  
**Public Review and Comment Invited**

The Telecommunications Commission ("Commission") is charged by Section 11.88 of the San Francisco Administrative Code to create a Telecommunications Plan ("Plan") to guide the San Francisco city government's telecommunications policy and decision making. The original Plan was adopted by the Board of Supervisors in January 2002. The Administrative Code requires the Commission to update the Plan every two years.

As a result, the Commission is pleased to announce that it has completed a Draft 2004 Telecommunications Plan Update ("Update"). The Commission developed the Update after many months of hearings, meetings, conversations, and research.

The Update is attached and can also be found on the Commission website at [www.sfgov.org/telecommunications\\_commission](http://www.sfgov.org/telecommunications_commission). The Commission welcomes input and will hear comments on the draft Update at its February 23, 2004 meeting. The hearing can be viewed live on SFGTV Cable Channel 26 or through the [www.sfgov.org](http://www.sfgov.org) website.

Please direct all written comments to [telecommunications\\_commission@sfgov.org](mailto:telecommunications_commission@sfgov.org) or via regular mail to Telecommunications Commission, 875 Stevenson, 5th Floor, San Francisco, CA 94103. Deadline for written comment is March 15, 2004.

## 2004 Telecommunications Plan Update

### Executive Summary

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Telecommunications plays a critical role in the state of affairs of the City and County of San Francisco. Accordingly, Section 11.88 of the City's Administrative Code requires the City to adopt a master Telecommunications Plan and to update that plan every 24 months.

The Telecommunications Commission produced San Francisco's first Telecommunications Plan in early 2002, laying out a vision of San Francisco as a world-class community in the availability, accessibility and performance of telecommunication services. That Plan, which was adopted by the Mayor and Board of Supervisors, created guidance for all City departments, agencies, and entities on Telecommunications issues and serves as a framework for considering telecommunications initiatives. This is the first update to San Francisco's Telecommunications Plan. The Commission drafted this Update after extensive hearings and public testimony in 2002 and 2003.

#### ***What's Changed***

In the two years since the first Telecommunications Plan was adopted, four major developments have impacted substantially the telecommunications environment in San Francisco. These developments are listed below and are the drivers for this Update:

1. **Increased focus on security and safety.** Both wired and wireless telecommunications networks play critical roles in security and safety, in particular as they relate to assessment of and response to catastrophic events. These roles were highlighted in the wake of the September 11, 2001 tragedies, and the August 7, 2003 power black out on the east coast and mid-west;
2. **Increased dependence on wireless networks.** San Francisco residents, businesses, commuters, government workers, and emergency personnel are increasingly dependent on wireless networks for telecommunications services.
3. **Less than anticipated competition.** The general economic recession and sluggish recovery in Northern California, combined with a severe downturn in the telecommunications industry, have curtailed any envisioned growth in competition to provide certain telecommunications services within San Francisco.

4. **Increased technology interdependence.** The distinction between traditional telecommunications systems and information technology has blurred significantly. San Francisco's telecommunications and information technology systems are inextricably intertwined; infrastructure designed and built for analog communications is now transmitting digital information and the Internet is carrying voice telephone traffic. Failure in one system jeopardizes the other, and both are equally vulnerable to cyber attacks.

### ***Key Issues and Recommendations***

**Priorities.** The Commission identified three key areas or "pillars" to organize and prioritize the City and County's Telecommunication's goals: 1) **Public Security and Safety**; 2) **Economic Development**; and 3) **Equal Access**.

**Initiatives.** In this Update, the Commission recommends a number of policy initiatives to focus the City and County's efforts in the three key areas identified above, for example:

1. **Ensure Emergency Communications Interoperability.** The ability of San Francisco's emergency personnel to communicate effectively with Local, Regional, State, and Federal agencies during disaster response is critical for public safety and security. The necessary interoperability between emergency communications systems has not been reliably demonstrated. Establishing and testing emergency communications systems interoperability with neighboring jurisdictions, Regional, State and Federal government and emergency workers should be made a priority.
2. **Increase Wireless Network Capacity and Coverage.** San Francisco's residents, businesses, government employees, and emergency workers have increasingly come to depend on wireless networks for telecommunications services. The Commission is concerned that the capacity and coverage of San Francisco's wireless networks will not be adequate when demand for capacity is at its highest, i.e., during times of crisis. Ensuring robust wireless network capacity and complete coverage for San Francisco should be a priority.
3. **Develop Strong Cyber Security Protocols.** San Francisco's telecommunications and information technology systems are vulnerable to determined attacks. Development of techniques, tactics and procedures with frequent exercises to deter cyber attacks should be a high priority.

4. **Accelerate Competitive Broadband Deployment.** A choice of competitive broadband Internet connections are still unavailable to many San Francisco residents and businesses. The economic downturn since 2000 and reduced competition for the provision of telecommunications services have resulted in delays in competitive broadband deployment for significant areas of the City. Accelerating competitive broadband Internet deployment to all areas of San Francisco should be a priority.
5. **Promote Equal Access.** The Commission recommends that the City take steps to encourage equal access to telecommunications services by both disabled and underserved communities. For example, the City does not have a comprehensive plan to address the telecommunications needs of the disabled. In addition, the slow pace of competitive broadband deployment is a particular concern for areas of low-moderate income areas in San Francisco. As an important step in promoting equal access, the City should address the telecommunications needs of disabled residents and City employees, and other under-served communities.
6. **Encourage New Technology Deployment.** The City should promote an environment conducive to the early and continual deployment of new telecommunications technologies as these could lead to increased public security and safety, economic development, and equal access, the Commission's three pillars. Presently, there is no incentive for companies to test new technologies in San Francisco. Expedited and streamlined processes for pioneering pilot programs for new technologies should be developed.

**Benchmarks.** Finally, the Commission proposes establishing specific benchmarks for the first time for measuring the success in bringing advanced telecommunication facilities and services to the people of San Francisco.

## 2004 Telecommunications Plan Update

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### *Preliminary Statement*

The technology of telecommunications has come to play an increasingly important role in the state of affairs of the City and County of San Francisco. Consequently, the City strives to be a world-class community in the availability, accessibility and performance of telecommunications services. In February 2002, in furtherance of this vision, the Board of Supervisors and the Mayor adopted the City and County of San Francisco's first Telecommunications Plan (Plan). The Plan was developed by the Telecommunications Commission (Commission) over the period of several years and is intended to address the telecommunications needs of the public as well as City government. The Plan was created to provide guidance to all City departments, agencies and entities on telecommunications issues and to serve as a framework for consideration of telecommunications initiatives. Section (§) 11.88 of the City's Administrative Code, which directs the Commission to produce a Plan, also directs the Commission to update, and if necessary, amend the Plan every 24 months. This is the first update to the Plan.

The Commission undertook the task of updating the Plan in a time when the telecommunications technology is accelerating its evolution. Many capabilities merely mentioned as possible in the original Plan, such as Wi-Fi, have already become widespread in our City. The wireless option is already changing where and how residents perform their work. More and more residents use cellular phones today. The Commission believes that we are on an irreversible path of becoming dependent on wireless technologies and systems for the day-to-day functioning of business, both commercial and personal.

It is becoming more and more certain that not only is the future of San Francisco's business climate dependent on having a robust wireless network infrastructure, but so is the security and safety of its residents. This fact was born out twice in the recent past stark terms, both when the tragedy occurred in September 11, 2001 and during the multi-state power black out of August 7, 2003. Failures to have robust wireless infrastructure impeded rescue efforts, hindered arrival of first responders and caused unnecessary confusion when the networks that the residents have become dependent failed to function. At the same time, the dream of having competition among various service providers, such as the providers of broadband, has not been realized to the extent necessary to provide every resident access. This Update to the Plan has been undertaken with these events in mind.

The Update does not re-write the Plan. The overall goals of the Plan remain sound and the policies and initiatives to advance them are still relevant. However, in the two years since the Plan was adopted, significant changes have taken place in the telecommunications environment, which includes residential and business consumers, government users and providers. This Update takes into account these changes by aligning the City's telecommunications policy and

refining certain of the Plan's goals to focus on three specific areas: (1) security and safety; (2) economic development; and (3) equal access.

### ***Focus of the Update***

The Administrative Code contemplates updates to the Plan that are more narrowly focused than the Plan itself. As such, the Commission focused on what it identified as the most pressing current issues, relying on expertise in the community, City government and the telecommunications industry.

The Commission's foremost concern in this Update is San Francisco's ability to rely on its communications systems in an emergency. This concern was highlighted by the events of September 11, 2001, and by the recent multi-state power outages.

Second, the Commission is concerned about the transforming effect on the telecommunications landscape since the Plan's adoption by the downturn of the economy and the severe impact on the telecommunications industry. San Francisco has 40,000 fewer jobs in August 2003 than it did at the end of 2000, with unemployment climbing from 2.5% to 6.7% over the same period.<sup>1</sup> The telecommunications industry was particularly hard hit, losing 1.7 trillion in market capitalization between March of 2000 and July 2001.<sup>2</sup> These events have lead to consolidation of the industry and a slowdown in investment in new and upgraded networks. As a result, the accelerated deployment of telecommunications facilities assumed in the Plan either did not occur or has been significantly delayed

In discussing, evaluating and analyzing these events and their impact on the telecommunications environment in the context of updating the Plan, the Commission identified three key areas or "pillars" for enhancements to the City's Telecommunications Policy: (1) public security and safety (2) economic development and (3) equal access for all, including people with disabilities and those in underserved communities.

To develop policies to support these pillars, the Commission conducted a series of hearings on emerging technologies and emerging concerns about the deployment of technologies. The Commission held a series of keenly focused hearings on the following topics:

1. Wireless Technologies - October 2002
2. Vision - February 2003
3. Disaster Preparedness, Security and Safety – February 2003
4. Wi-Fi - February and March 2003
5. Consumer Broadband and Broadband Alternatives - March 2003
6. Access to Telecom for People with Disabilities - May 2003
7. Educational Programming and High Definition Television - April 2003

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<sup>1</sup> Civilian Labor Force, Employment, and Unemployment – Updated 9/9/2003.

<sup>2</sup> Wall Street Journal, p. 1, July 25, 2001.

## 8. Public Access - June 2003

Appendix 1 lists all of the participants in these informative hearings.

In addition, the members of the Commission participated in the Mayor's Technology Summit: Homeland Security, Safety and Economic Development in July 2003, and a special Department of Defense/City and County of San Francisco Tabletop Exercise to examine the defense of Critical Infrastructure for Homeland Security/Homeland Defense exercise in August 2003. Further, the Commission drew on information available in the City's geographic information system (GIS).

The Commission then synthesized this material with the three pillars it believes have emerged as drivers to the current telecommunications environment to propose new benchmarks for measuring the City's success in bringing advanced telecommunications facilities and services to the public.

### *Topics Investigated for the Update*

#### **Security and Safety**

The Commission has the responsibility to advise the City on changes in telecommunications, which impact public safety and security. While the original Plan was adopted after the September 11th attack, it did not take into account the repercussions of this tragic event. The Plan adopted as one of its Goals that the public benefit from state of the art emergency communications.<sup>3</sup> The Update proposes specific policies that the Commission believes will enhance first responder's capacity to address security, and the public's ability to reach emergency services. During 2003, the Commission held a hearing on the City's disaster preparedness. In addition, Commissioners participated in, and the Director of DTIS reported on, the Mayor's Technology Summit on Homeland Security, Safety and Economic Development and the DoD/SF Tabletop Exercise to examine protection of critical infrastructure. Beyond the need for robust telecommunications networks cited in the Plan, the Commission found:

- Cities, such as Seattle, are experimenting with new, faster; standards based wireless technologies, which allow first responders to access databases more quickly and readily.
- San Francisco is viewed to be the lead agency for Bay Area Regional Preparedness. This interoperability of radio communications between adjoining local, state and federal agencies is vital to effective emergency management, yet, interoperability between adjoining local, regional, state and federal communications systems (e.g., 800 mhz systems) has not been demonstrated.
- The FCC has allocated bandwidth, 50Mhz of in the 4.9GHz range, for use by public safety agencies. This spectrum is intended to accommodate a variety of broadband applications, such as wireless

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<sup>3</sup> Goal A.3

local area networks. Use of this bandwidth will allow faster data transmission necessary for images and video and will facilitate interoperability between adjoining local agencies and state and federal governments.<sup>4</sup> San Francisco has a license to use this bandwidth.

- Access by individuals to reliable emergency communications through wireless technology is critical to public safety and is threatened by increasing congestion on wireless networks. The numbers of users has increased dramatically, but the cellular infrastructure has not kept pace.
- Data centers such as San Francisco's are vulnerable to cyber attack. In addition the location of San Francisco's data center facility is inappropriate due to its location in a commercial business district in a standard office building.<sup>5</sup>
- Local first responder radio communications systems, which operate in the 800 Mhz band, are not compatible with radio systems used by the Department of Defense, which operate on the Very High Frequency (VHF) band.<sup>6</sup> This will make coordination and communication between local and Department of Defense forces difficult.
- The Department of Defense is currently developing a Joint Tactical Radio System (JTRS) which can operate in frequency bands from 2Mhz to 2GHz. The JTRS is designed to address interoperability among various DoD services, but may also be capable of providing an interoperability solution for domestic security and safety.<sup>7</sup>

## Residential Broadband

A key topic evaluated by the Commission is access to advanced telecommunications in residential neighborhoods. To increase economic advantages for the City, high-speed, broadband access for the residents is crucial. This is a concern because the robust access and competitive choice anticipated by the Plan has not materialized. The original Plan anticipated that the incumbent telephone and cable providers would provide high speed data service throughout their service areas, and that a third land line provider would be actively building a

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<sup>4</sup> Federal Communications Commission, Memorandum Opinion and Order and Third Report and Order FCC 03-033, May 2, 2003.

<sup>5</sup> "It's a Catastrophe: The State of Emergency Planning in San Francisco" A Report of the 2002-2003 Civil Grand Jury for the City and County of San Francisco, June 19, 2003, p.24. San Francisco Metropolitan Area Critical Infrastructure Protection Table Top Exercise, Final Report,, p. 16

<sup>6</sup> San Francisco Metropolitan Area Critical Infrastructure Protection Table Top Exercise, Final Report, p. 20.

<sup>7</sup> [http://jtrs.army.mil/sections/overview/fset\\_overview\\_domestic.html](http://jtrs.army.mil/sections/overview/fset_overview_domestic.html). General Accounting Office, Joint Tactical Radio System (JTRS) Program, Briefing to the House Committee on Appropriations, Subcommittee on Defense, May 5, 2003.

network. This has occurred to a very limited extent and progress has been slower than hoped. In addition, the Plan's vision of wireless data services in terms of narrowband text messaging and broadband fixed wireless systems has not materialized.<sup>8</sup>

The Plan's first goal was that consumers should have a choice of advanced, affordable telecommunications services.<sup>9</sup> The Plan sought to achieve this by relying on the telecommunications industry to make the investment and take the risk of installing and upgrading networks. To this end, the Plan included initiatives for facilitating entry and enforcing incentives for network deployment.<sup>10</sup>

In addition to the concerns about coverage and competition, the residential focus was also motivated by concerns for economic development. As economic activity shifts away from the downtown area to outlying neighborhoods, there is a need to support this activity with robust telecom networks. The same networks that provide personal communications and entertainment are also vital economic development engines in San Francisco's increasingly dispersed, information-based economy.

The importance of residential broadband and concerns about the slow pace of deployment and less than robust competition, lead the Commission to hold hearings to address these concerns. Representatives of the three largest facilities based, wireline carriers—AT&T Broadband (later Comcast), RCN and SBC—spoke. The Commission invited satellite providers, but no response was given. As a result of those hearings, the Commission found the following:<sup>11</sup>

- Comcast had upgraded its "Advanced Digital Network", having passed 40% of homes at the time of the Hearing and 65% projected by September 2003. Said in other terms, 35% of San Francisco citizens still did not have access to a cable provider's Broadband.
- Comcast's network upgrade has been slowest to reach the North East part of the City—Chinatown and Russian Hill.
- Comcast began offering High Definition Television (HDTV) to homes passed by its upgraded network on June 2003.
- Comcast anticipates that it will complete its upgrade by January 2005.
- SBC's digital subscriber line (DSL) service is available to most, but not all residences in the City.
- DSL is distance sensitive, so that the availability and quality depend on distance from the central office or remote terminal.

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<sup>8</sup> Telecommunications Plan, p. 15.

<sup>9</sup> Goal A.1.

<sup>10</sup> Initiatives, A.1.1. and A.1.9.

<sup>11</sup> (More current information is supplied when the companies have provided updates.

- SBC has placed some remote terminals to further the reach of its DSL service, but there are still pockets far from central offices where service is unavailable and a very few areas where service is questionable and lines must be checked.
- SBC has committed to place optical fiber to every commercial and residential building in Mission Bay and is serving completed buildings. This will include phased introduction of residential voice, data and video service limited to this completely new development.
- RCN passes approximately 31,000 homes with its new network, but has stopped construction and is seeking relief from City construction requirements.
- A survey conducted by the Bay Area Council indicates that 63.5 percent of San Francisco residents with internet access have broadband connections, 9.1% high speed cable and 54.3% DSL.<sup>12</sup>
- None of the existing landline carriers expressed near term plans for installing Fiber-to-the-Home (FTTH) in existing residential neighborhoods.

A series of maps attached as Appendix 2 show where each of these three facilities based carriers serve and where neighborhoods are served by 1, 2 or 3 wireline facilities-based providers.

## Wi-Fi

In 2003, the Commission also held hearings on wireless broadband technology, known as wireless fidelity or more commonly "Wi-Fi"<sup>13</sup>. While not a new technology, wi-fi has expanded beyond its initial use as a wireless alternative to the local area network (LAN). Wi-Fi has become an alternate means for the public to access the Internet, allowing people with portable devices, such as laptop or handheld computers access to high-speed data services in a variety of areas. Wi-Fi is also being used by the City for traffic control in controlling timing for traffic lights on important streets. To better understand Wi-Fi and to determine the impact on public policy, the Commission held two hearings and heard from grass roots community groups as well as representatives of industry, such as Intel and Cisco. Based on the hearings, the Commission found the following with respect to Wi-Fi:

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<sup>12</sup> County -By-County Results, Bay Area Poll 2003, Bay Area Council, December 2003. Data from a survey which included 53 residents of San Francisco that responded to the question.

<sup>13</sup> Wi-Fi is a wireless local area network technology that provides short-range, high-speed data connections between mobile data devices (such as laptops) and nearby access points (special hardware connected to a wired network). Wi-Fi refers to a set of standards, 802.11(a), 802.11(b) and 802.11(g) established by the Institute of Electrical and Electronics Engineers (IEEE).

- The most common Wi-Fi standard (802.11(b)) operates in unlicensed spectrum, in the 2.4GHz range with transmitters operating at low power, approximately 0.035 Watts.
- Interference is mitigated by the short range (100s of feet) for the low power transmissions, so that more distance transmitters do not interfere with one another .
- There is no exclusive right or license for the frequency spectrum.
- Common standards and the ability to deploy without a license have facilitated innovation.
- By the end of 2002, over 50% of new laptop computers included 802.11(b) access.
- New technologies may expand reach.
- New standards are being developed to meet particular needs such as higher speed, and greater security.
- A grass roots group in the Bay Area is developing a community wireless network with the hope of creating a wireless backbone to connect local community wi-fi access points,
- Public Wi-Fi is being offered under several business models:
  - as a free service, e.g., in some San Francisco Hotels, in Bryant Park in New York City or downtown Long Beach,
  - as a subscription service, e.g., in Starbuck coffee shops nationwide and San Francisco International Airport, or
  - as an adjunct to other business.
- Wi-Fi potential is yet to be realized. It is most certainly a useful technology for public safety and other City government applications:
  - Wi-Fi may act as a back-up or concurrent network for public safety,
  - Police departments in several cities are experimenting with Wi-Fi, and
  - Security and encryption concerns are being addressed.

## Equal Access

The original Telecommunications Plan recognized the need to “promote access by people with disabilities....”<sup>14</sup> In 2003, the Commission revisited access to telecommunications for people with disabilities in order to understand the issues better and to be able to develop more specific and productive initiatives and policies than those set forth in the Plan. Based on this review, the

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<sup>14</sup> Initiative A.1.3, p. 32

Commission believes that the City should take a broader view of the issue and seek to promote the concept of "universal design". (Defined below)

The Commission held a hearing solely devoted to access by people with disabilities to telecommunications. The principle findings of this hearing were:

- "Universal design" is the design of products and environments to be usable by all people to the greatest extent possible without the need for adaptation or specialized design.
- Disability can be viewed as incompatibility between conditions of people and their environment, universal design seeks to minimize the incompatibility between conditions of people and their environment.
- Design that takes into account the greater number of conditions is a more robust design.
- The Federal government promotes accessibility through Section 508 of the Rehabilitation Act, which requires federal departments to (1) procure information technology products that are accessible to employees with disabilities, and (2) ensure that access to public information is comparable for people with and without disabilities.
- In 2002, the State adopted §11135(d) of the Government Code, which adopts Federal Section 508 procurement and public information standards.

In addition to the discussion of universal design, the Commission heard testimony regarding technologies designed to allow access to telecommunications services through video relay service and assistive technologies.

- Video relay service is a new service, which allows an American Sign Language (ASL) speaker to communicate to a relay operator who then completes communication with a hearing caller.

Video relay service may provide the City government with an instantly available and more cost effective ASL translation service for members of the public and City employees who use ASL.

### **Public Access Cable**

The Plan addresses public access issues by adopting the goal of pursuing and maximizing the use of telecommunications assets, including community access channels, resources and programming.

During the period in which the plan was developed, members of the public raised a number of issues concerning the operation and management of the public access channel. These issues include:

- The use of a lottery to select time slots for public access shows.
- The requirement that producers be paid members of the CTC in order to use the facility and play pre-recorded programs.

- The selection of the CTC board of directors, especially the selection of board member that represents the members.
- The limited operating hours—five days per week for 40 hours--of the public access facility.
- The lack of priority given to locally produced programming.
- The need for more studio space.
- The use of funds provided by the City to the CTC.
- The use of streaming over the world wide web as an alternate vehicle for distributing programming and wi-fi as a production tool.

These issues were considered at length by the Commission. A letter by Mayor Willie Brown in response to an inquiry by a member of the public concerning some of these issues explains the City's approach to many of these issues. This letter explains that in some cases, such as the lack of priority for locally produced shows, the City has an interest in providing a public forum for residents to express their messages regardless of the origin of the message, in other cases, such as the expenditure of funds, the City is vigilant, and in other cases, such as the membership program and composition of the CTC Board, that are appropriately entrusted to the CTC.<sup>15</sup> (The full text of the letter is available on the Commission's website.

### ***Recommended Policy Goals and Initiatives:***

The Commission believes that these hearings and the ideas, discussions, and materials that emerged from them can be synthesized into three pillars for the City's telecommunications future: (1) security and safety, (2) economic development and (3) equal access.

Based on these pillars, the Commission recommends the following policy goals and initiatives be added to the Plan. These constitute herewith the Update to the Plan:

#### **1. Ensure Emergency Communications Interoperability**

The ability of San Francisco's emergency personnel to communicate effectively with Local, Regional, State, and Federal agencies during disaster response is critical for public safety and security. Interoperability between City and Department of Defense emergency communications systems has not been reliably demonstrated. Establishing and testing emergency communications systems interoperability with neighboring jurisdictions, Regional, State and Federal government and emergency workers should be made a priority.

- Secure a mobile broadband infrastructure, possibly using spectrum in the 4.9 GHz, employing standards-based

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<sup>15</sup> Letter of Mayor Willie Brown, October 3, 2003.

technologies to increase capacity for transmitting large amounts of data, provide a platform for interoperable data communications and to back-up public safety networks.

- Create and test a plan for interoperable emergency communications.
- Create redundancy for wireless public safety networks.
- Monitor JTRS for possible adoption in order to promote interoperability between adjoining local jurisdictions and State and Federal government.

## **2. Increase Wireless Network Capacity and Coverage**

San Francisco's residents, businesses, government employees, and emergency workers have increasingly come to depend on wireless networks for telecommunications services. The Commission is concerned that the capacity and coverage of San Francisco's wireless networks will not be adequate when demand for capacity is at its highest, i.e., during times of crisis. Ensuring robust wireless network capacity and next generation network coverage for San Francisco should be a priority.

- Encourage rapid deployment of advanced technology wireless infrastructure to ensure access, capacity and reliability, by streamlining processes and expediting approvals of permits.
- Ensure robust wireless networks for emergency response, security and safety.
  - i. Take necessary measures to ensure that commercial mobile radio service (CMRS) networks have sufficient capacity and back-up power in the event of an emergency.
  - ii. Demonstrate interoperability for the 800 MHz radio systems used by the first-responders in the greater Bay Area
  - iii. City entities with regulatory responsibility that effects wireless service, such as decisions concerning the deployment of CMRS base stations, first consider the role of wireless communications in accessing emergency communications and disaster response.

## **3. Develop Strong Cyber Security Protocols**

San Francisco's telecommunications and information technology systems are inextricably intertwined. Failure in one system jeopardizes the other, and both are equally vulnerable to cyber attacks.

- Develop security protocols and procedures to deter cyber attacks.

#### **4. Accelerate Competitive Broadband Deployment.**

A choice of competitive broadband Internet connections is still unavailable to many San Francisco residents and businesses. The economic downturn since 2000 and reduced competition for the provision of telecommunications services have resulted in delays in competitive broadband deployment for significant areas of the City. Accelerating competitive broadband Internet deployment to all areas of San Francisco should be a priority.

- Encourage wireless broadband providers to serve San Francisco.
- Explore public/private partnerships to serve areas where commercial providers alone have been unable or unwilling to serve.
- Consider City provision of wireless broadband access if no commercial carriers are willing to serve.

#### **5. Promote Equal Access**

The Commission recommends that the City take steps to encourage equal access to telecommunications services by both disabled and underserved communities. For example, the City does not have a comprehensive plan to address the telecommunications needs of the disabled. In addition, the competitive broadband deployment is a particular concern for areas of low-moderate income areas in San Francisco. As an important step in promoting equal access, the City should address the telecommunications needs of disabled residents and City employees, and other under-served communities.

- Adopt legislation requiring City departments, agencies and entities to consider universal design when procuring telecommunications equipment and services that can be used by employees with disabilities and those without disabilities.
- Adopt legislation that mirrors §508 of the Federal Rehabilitation Act at the City level by --
  - i. Requiring City departments to ensure that all City employees--those with disabilities and those without disabilities--have comparable access to telecommunications services
  - ii. Requiring City departments to disseminate information electronically so that all people have comparable access to information

- Encourage the use of video relay among City departments as an efficient means of communicating with ASL users among the public and City employees
- Encourage the use of TTYs by ensuring that listings are accurate and training is sufficient

## **6. Provide an environment that encourages the deployment of new technologies**

The City should promote an environment conducive to the early and continual deployment of new telecommunications technologies as these could lead to increased public security and safety, economic development, and equal access. Presently, there is no incentive for companies to test new technologies in San Francisco. Expedited and streamlined processes for pioneering pilot programs for new technologies should be developed.

- Direct departments to streamline and coordinate administrative processes, expedite approvals and minimize obstacles and delays for City permission to deploy new services and enhance existing services.
- Promote San Francisco as a test bed for new technologies.
- Inventory City assets to determine if making them available to provide new telecommunications services would be beneficial.

## ***Benchmarks***

As part of the Update, the Commission believes that it is important that the residents of San Francisco have a method or means of assessing whether these goals are being achieved. Thus, the Update proposes the following benchmarks to measure progress with respect to the Update's goals:

### **1. Interoperability**

- City conducts regular testing of interoperability of emergency communications systems with neighboring local jurisdictions and Regional, State and Federal government.
- City has in place a mobile broadband infrastructure using standards-based technologies to supplement and back-up public safety networks.
- City has a mobile emergency truck back-up system for central control of emergency radio systems and the emergency radio system can operate in the event of the loss of the central radio facility.

### **2. Robust Wireless Networks**

- CMRS provider measures of dead spots, dropped calls, network busy signals and interrupted calls are comparable to those in other cities and improve over time.
  - Each CMRS provider has submitted plan for back-up power.
3. Cyber Security Protocols
- City tests cyber security protocols on a frequent basis
4. Competitive Broadband Deployment
- Percentage of households and businesses served by one, two and more than two facilities based broadband providers has increased over time.
  - Price for broadband services for given data rates.
  - Data rates for broadband services given the price for these services.
5. Equal Access
- The Board of Supervisors and Mayor have approved legislation requiring City agencies to procure equipment that and mirrors §508 of the Federal Rehabilitation Act.
  - City departments have been notified of the availability of video relay service as an alternative for communicating with ASL users.
  - The City has verified that all published TTY listings are accurate.
6. Deployment of New Technologies
- The City has developed an expedited, streamlined process for deploying new services.
  - The City developed an expedited process for pioneering pilot programs
  - The number of pilot programs, tests or trials of new telecommunications services has increased over time.

**Appendices:**

- List of Participants
- Map showing coverage by 1, 2 & 3 Broadband Providers



## Telecommunications Commission

February 23, 2004

REGULAR MEETING OF THE

TELECOMMUNICATIONS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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MINUTES

February 23, 2004

CITY HALL

ROOM 400

5:30 P.M.

COMMISSIONERS

**J. Michael Myatt, President**

**Sunil V. Daluvoy, Vice President**

**Kimberlee S. Bogen**

**Elizabeth Inadomi**

**Michael Rouan**

**Helen Danina, Commission Secretary**

**Lewis Loeven III, Executive Director**

**DEPARTMENT OF TELECOMMUNICATIONS**

**AND INFORMATION SERVICES (DTIS)**

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order by President Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

**Present: President J. Michael Myatt**

Vice President Sunil V. Daluvoy

Commissioner Kimberlee S. Bogen

## 1. APPROVAL OF THE MINUTES

### 1. Adoption of the Minutes - January 26, 2005 Regular Meeting

President Bogen made a motion, seconded by Commissioner Rouan, to approve the minutes of January 26, 2004. The Commission moved to adopt the minutes with five ayes [Bogen, Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

### • Adoption of the Minutes - February 9, 2004 Special Meeting

Commissioner Bogen made a motion, seconded by Commissioner Rouan, to approve the minutes of February 9, 2004. The Commission moved to adopt the minutes with five ayes [Bogen, Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

## 3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.

### 1. DIRECTOR'S REPORT

Executive Director Loeven gave the following overview regarding Budget, Cable Franchise Community Needs Assessment Public Participation and Input, Voice Over Internet Protocol (VoIP) at DTIS, Resignation of Commission Secretary, Helen Danina.

#### Budget

The Mayor's Budget Office currently projects over \$260 million shortfall for 2004-2005 that is the result of a combination of local and state factors: cost increases for benefits, shortage of revenues due to ongoing economic weakness, and reductions in revenues from the state. As a result, the Mayor's Budget Office has asked departments to reduce their General Fund expenditures by an initial 5%, and to plan for an additional 15%.

Since the DTIS staff supporting the Commission is part of the General Fund, I will apprise the Commission of the budget constraints and how the staff can best assist this Commission.

#### Cable Franchise Community Needs Assessment Public Participation and Input

The Evaluation Committee, comprised of Commissioner Kimberlee Bogen, Brian Roberts, Brian Wilson, and three members of the public, is continuing to analyze bids to perform the Community Needs Assessment Public Participation and Input. A consultant will likely be selected by the end of the week.

#### Voice Over Internet Protocol (VoIP) at DTIS

The VoIP pilot project DTIS is conducting with Recreation and Park Department includes 150 phones. It has met all of the objectives of replacing a traditional switch, ensuring voice quality, reducing costs, and meeting the needs of the client department. DTIS will prepare a report to evaluate the impact VoIP has on the City's telephone needs. The DTIS staff responsible for implementing this pilot project are: Michael Levy, Archie Lee, Reggis Milton, Nancy Lillegard, Flash Gordon, and Joe DeRoan.

#### Resignation of Commission Secretary, Helen Danina

Helen Danina, a Telecommunications Commission Secretary since October 2000, has resigned. During that time, she supported the Commissioners, guided the public and handled inquiries regarding cable television service. She provided behind the scenes organization of the various workshops and has spent many late evenings working on meeting materials and presentations.

Executive Director Loeven thanked her for her generous help in preparing for the meetings, understanding the history and workings of the meetings when he arrived at DTIS.

Public Testimony: None

Commissioners' Comments: None.

### 1. DEPUTY DIRECTOR'S POLICY REPORT

In her report, the Deputy Director Brady addressed the Federal Communications Commission (FCC) initiated Notice of Proposed Rulemaking to explore regulatory strategies for VoIP. Chairman Powell created the Internet Policy working Group (IPWG) last month to assist the FCC in identifying, evaluating and addressing VoIP regulatory and policy issues. The City will be monitoring and apprising the Commission on these activities.

Public Comments: None

Commissioner Daluvoy asked what impact AB1874 Broadband Deployment Act of 2004 will have on the City. Deputy Director Brady stated that the City, in partnership with the California League of Cities, is monitoring the legislation closely.

#### • NEW BUSINESS

#### Hearing on the Telecommunications Plan Update

#### • Presentation of Telecommunications Plan Draft Update

President Myatt stated that Section 11.87 established the Telecommunications Commission for the City and County of San Francisco. Section 11.88 defines the Commission's powers and duties to include monitoring and advising the Mayor, the

Board of Supervisors and other City department about advances in the field of telecommunications and the impact of such advances on the City, and establishing policies regarding the use of the public rights-of-way for installation of telecommunications facilities.

The original Telecommunications Plan, approved in February 2002 by the Board of Supervisors and the Mayor, proposed City policies and procedures to guide the installation of telecommunications facilities in the City. The policies are intended to facilitate the deployment of new technologies within the City, maximize the availability of telecommunications services to the City residents, businesses and departments, preserve City property and resources, and protect the health, safety and welfare of City residents. The original Telecommunications Plan was developed with maximum public participation including residents, independent experts, Telecommunications Providers, and City departments. The Plan, after public participation and hearings, must be amended every 24 months.

This agenda item is the result of the Commission's effort for the last 13 months. A series of public hearings and workshops have been held to bring in telecommunications experts. The original Plan and Update is available on [http://www.sfgov.org/site/telecommunications\\_commission\\_index.asp](http://www.sfgov.org/site/telecommunications_commission_index.asp)

Commissioner Inadomi gave the attached PowerPoint presentation on the three pillars that make up the Plan Update: public security and safety; economic development; equal access. The presentation can be accessed on [http://www.sfgov.org/site/telecommunications\\_commission\\_index.asp?id=4379](http://www.sfgov.org/site/telecommunications_commission_index.asp?id=4379)

### **Comments from the Speakers regarding Telecommunications Plan Draft Update**

#### **Safety and Security:**

- Alex E. Fagan, Director, Office of Emergency Services

Director Fagan's major concern is to increase wireless network capacity and coverage.

- Daniel Sullivan, Director, Department of Emergency Communications was unable to attend this hearing, but Jim Goebel represented the Department. Mr. Goebel emphasized the issue of emergency communications interoperability.

- Kirk Bailey, Chief Information Security Officer, City of Seattle

Mr. Bailey was interested specifically in the development of strong cyber security protocols.

- Robert D. Rodriguez, Assistant Special Agent in Charge, U.S. Secret Service

Mr. Rodriguez addressed the public/private partnerships with academia (Stanford, University of California, Berkeley, University of California, Davis, Carnegie Mellon, M.I.T., University of Arizona), private industry, science, and the secret service.

#### **Economic Development:**

- Commissioner Sunil Daluvoy addressed the need to increase wireless network capacity and coverage, accelerate competitive broadband deployment, and encourage new technology deployment.
- Wade Randlett, President, SFSOS (quality of life advocacy group) stated that the Mayor Gavin Newsom's transition team was interested in the issues covered in the Plan Update. He was particularly interested in emerging technologies and economic development opportunities.

#### Equal Access:

- Susan Mizner, Acting Director, Mayor's Office on Disability

She thanked the Commission for their foresight and for incorporating the important issues concerning the people with disabilities in the Plan Update. She endorsed it as a proactive and forward thinking document. She thanked Commissioner Inadomi, DTIS Senior Policy Analyst Brian Roberts, and Program Administrator Ken Stein of the Mayor's Office on Disability.

- Chester Williams, Vocational Skills Program Manager, Western Addition Community Technology Center

The Western Addition Community Technology Center trains a diverse population in vocational skills and promotes equal access to overcome the digital divide. He suggested that the Commission expand community technology centers to be networked to other satellite centers.

The following persons spoke during public testimony, followed by some of the Commissioners' comments. The full text and video of this hearing may be accessed on the SFGTV website entitled video on demand, Telecommunications Commission, February 23, 2004, [http://www.sfgov.org/site/sfgtv\\_index.asp?id=11516](http://www.sfgov.org/site/sfgtv_index.asp?id=11516)

Byron McDaniel, Vice President, Construction Engineering, SBC addressed the Commission on the acceleration of competitive broadband deployment.

Commissioner Daluvoy asked what local regulations affect SBC's decisions to upgrade or deploy. Mr. McDaniel replied that customer demand, ease of access, and regulatory restrictions affect SBC's decisions. He stated that getting the various city departments together to streamline the permitting process would be helpful.

Commissioner Inadomi asked about choice for DSL and the FCC ruling for Silex to obtain SBC's lines. He stated that they are interested in leasing the lines so long as they can recover their cost. The DSL choices for San Franciscans are NetZero High Speed, Earthlink, Comcast, SBC, Covad, Speakeasy.

Commissioner Bogen asked for clarification regarding the statement in the Telecommunications Plan Update that there were no choices for DSL in San Francisco. Mr. McDaniel stated that there are choices. He suggested that "encourage" rather than "accelerate" competitive broadband deployment would be a more appropriate wording.

Commissioner Myatt asked what data rate would qualify as broadband. He answered, 56K to 3MB.

Tim Pozar, Bay Area Wireless Network (BARWN), suggested that the Commission promote and adopt open protocol, and develop a partnership with the City.

Lynn Bunin, Executive Director, External Affairs SBC, invited the Commissioners and speakers to a number of tours in both the Bay Area and Sacramento regarding security and emergency preparedness in the City.

Both Commissioner Rouan and Commissioner Bogen asked Chester William for more information regarding demand for their service, hours of operations, number of staff, and expansion plans.

Commissioner Bogen asked about Seattle's participation in a number of exercises involving cyber security protocols, and what top three concerns San Francisco should consider. Mr. Bailey identified three issues: private/public partnership, consequences of the technology, and the evaluation of the economics of technology.

Commissioner Bogen asked whether privacy in robust systems should be a concern. Mr. Bailey replied that wise policies should be enacted.

Commissioner Daluvoy asked about the funding of the projects. Two exercises were funded by federal agencies, and Dartmouth College ISTS Institute, and Seattle City employees.

- **CALENDAR MATTERS**

- The regular meeting of the Telecommunications Commission is scheduled for March 22, 2004, City Hall, Room 400, 5:30p.m.

Public testimony – none.

Commissioners' comments – none.

- **GENERAL PUBLIC TESTIMONY**

Ace Washington, a producer of Channel 29, is concerned about underserved producers, lack of priorities given to local producers, and membership dues. Deputy Director Brady offered to meet with him after the meeting.

## **9. ADJOURNMENT**

President Myatt adjourned the meeting at 7:30 p.m.

Respectfully submitted,

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Helen C. Danina



## Telecommunications Commission

March 22, 2004

Department of Telecommunications and Information Services

City and County of San Francisco

# NOTICE

REGULAR MEETING OF THE  
TELECOMMUNICATIONS COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

Monday, March 22, 2004, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

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### AGENDA

There are two action items on this agenda.  
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three minutes during the "Public Comment" item on the agenda.

#### 1) CALL TO ORDER, ROLL CALL

J. Michael Myatt, President  
Sunil Daluvoy, Vice President  
Kimberlee S. Bogen, Commissioner  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

#### 2) APPROVAL OF THE MINUTES ACTION ITEMS

(Commissioners will vote to adopt the minutes. The handout associated with these

items are the minutes from the February 23, 2004 meeting)

a) Adoption of the Minutes - February 23 Regular Meeting.

- Public Testimony
- Commissioners' Comments

3) COMMUNICATIONS FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of

this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- Recent Events

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- Federal Legislation;
- State Legislation;
- Municipal Legislation;
- Court Proceedings;
- Administrative Proceedings

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Hearing on Voice Over Internet Protocol (VoIP) FOR DISCUSSION ONLY

- Rob Cassetti, Major Account Manager and Chris Tzortzis, CISCO Region

Manager Bay Area Public Sector

- Jack Leutza, Director Telecommunications Division, California

**Public Utilities Commission**

- Mark Zielazinski, El Camino Hospital
- Pat Cox, MIS Manager, Recreation and Park Department, CCSF
- Polly Bussel, Vice President, Network Engineering West, SBC
  - Staff Report
- Public Testimony
- Commissioners' Comments

**7) OLD BUSINESS**

Adoption of the Telecommunications Plan Update ACTION ITEM

(The handouts associated with this item are the draft 2004 Telecommunications Plan Update and the Resolution 04-028 adopting the Telecommunications Plan update.)

- Public Testimony
- Commissioners' Comments

**8) CALENDAR MATTERS**

(There is no handout associated with these items.)

- The regular meeting of the Telecommunications Commission is scheduled for

April 26, 2004 in City Hall, Room 400, 5:30 p.m.

- Public Testimony
- Commissioners' Comments

**9) GENERAL PUBLIC TESTIMONY FOR DISCUSSION ONLY**

**10) ADJOURNMENT**

**COMMUNICATIONS PAGE**

**COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS**

1. Agenda of the March 22, 2004 Commission meeting.
2. Draft minutes of the regular meeting of February 23, 2004.
3. Draft of the Telecommunications Plan Update.
4. Proposed Resolution 04-028 adopting Telecommunications Plan Update.
5. Deputy Director's report.

**COMMUNICATIONS RECEIVED FROM THE PUBLIC**

February 18, 2004 – March 18, 2004

1. Wells Whitney Comments on the 2004 Telecommunications Plan Update, February 19, 2004.
2. Mayoral Proclamation declaring March 14 - 20, 2004 Media Democracy Week, March 12, 2004.
3. Access San Francisco Comments on the 2004 Telecommunications Plan Update, March 15, 2004.

**Please Note:**

- **Special Announcement:** The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit [www.sfgov.org](http://www.sfgov.org) and click on the "SFGTV Online" link at the start time of the meeting.
  - General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5<sup>th</sup> Floor, San Francisco, CA 94103 or emailed to [Telecommunications\\_Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Brian Roberts, DTIS, 875 Stevenson, 5th Floor, 415-554-0861. Please note that there is a **10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.**
- Agenda packet items are available for public review by contacting Brian Roberts, DTIS, 875 Stevenson, 5th Floor, 415-554-0861. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

**Commission Information:**

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email [Telecommunications\\_Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
  - The Telecommunications Commission web site address is [www.sfgov.org/telecommunications\\_Commission](http://www.sfgov.org/telecommunications_Commission).

**SUNSHINE ORDINANCE**

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

**FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.**

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna\_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at [www.ci.sf.ca.us/ethics/](http://www.ci.sf.ca.us/ethics/)

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American Sign Language interpreters will be provided. Persons requesting other accommodations should contact (415) 554-4443. Requests for accommodations made at least 72 hours in advance will help to ensure availability.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based scented products. Please help the City to accommodate these individuals.



## Telecommunications Commission

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March 22, 2004

REGULAR MEETING OF THE  
TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

DRAFT

MINUTES

March 22, 2004

CITY HALL

ROOM 400

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### COMMISSIONERS

J. Michael Myatt, President

Sunil V. Daluoy, Vice President

Kimberlee S. Bogen

Elizabeth Inadomi

Michael Rouan

Mary Jung, Acting Commission Secretary

Lewis Loeven III, Executive Director

DEPARTMENT OF TELECOMMUNICATIONS

## AND INFORMATION SERVICES (DTIS)

## 1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Myatt at 5:29 p.m., and roll was called by the Commission Secretary.

Present: President J. Michael Myatt

Vice President Sunil V. Daluvoy

Commissioner Elizabeth Inadomi

Commissioner Michael Rouan

Excused: Commissioner Kimberlee S. Bogen

## 2. APPROVAL OF THE MINUTES

## a. Adoption of the Minutes - February 23, 2004 Regular Meeting

Corrections were requested and Commissioner Inadomi moved that the Minutes be approved as amended, seconded by Commissioner Rouan. The motion was approved with four ayes [Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

## 3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.

## 4. DIRECTOR'S REPORT

Executive Director Loeven gave an overview of DTIS' support of the City's recent Same-Sex Marriage Services, both through technology (IT and telecom) enhancements and the many DTIS employees that volunteered on their days off to help staff these services. Director Loeven also reported that DTIS won an award for placing among the top five departments in terms of employee contributions to the City's Charitable Contributions Campaign.

Public Testimony: None

Commissioners' Comments: None.

## 5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady presented her written report included in the agenda packet and stated that since the verbal part of her report focuses on Voice over Internet Protocol, (VoIP) she requested permission to present during the staff report at the

end of item #6.

Public Comments: None

Commissioners' Comments: None.

#### 6. NEW BUSINESS- Hearing on Voice Over Internet Protocol (VoIP)

President Myatt introduced this item and the following presenters were invited by the Commission to make presentations on IP technology, applications and policy.

Invited presenters:

- Chris Tzortzis and Rob Casseti, speaking on behalf of CISCO, provided a technical overview of VoIP and fielded questions about the benefits and challenges of IP and potential cost savings.
- Mark Zielazinski, speaking on behalf of El Camino Hospital, provided an overview of Vocerra technology and how it is being applied by hospital personnel and fielded questions about employee pushback, wireless interference, data storage tool.
- Jack Leutza, of the CPUC speaking on behalf of himself, provided an overview of the public policy issues presented by VoIP and fielded questions about five social programs potentially at risk, the ability of IP technology to help solve some of these problems more efficiently than switched technology and the applicability of new Minnesota law.
- Pat Cox, speaking on behalf of C&CSF, Park and Recreation Dept., provided an overview of the VoIP project, managed by DTIS, providing the City Agency customer perspective and fielded a question regarding 911 backup.
- Polly Bussel and Ron Lowery, speaking on behalf of SBC, provided an overview on trends in VoIP/IP from the perspective of the Incumbent Local Exchange Carrier and fielded questions about Offerings/testing in the Bay Area, unlicensed services and back-up power.

Staff report:

- Denise Brady highlighted information from the Deputy Director's written report about pending proceedings relating to Internet protocol.

President Myatt made closing comments and called for public comments.

Public Comments- None:

Commissioners Comments: Commissioner Inadomi advised that DTIS should use IP technology to meet universal design objectives and to better serve the disabled communities.

RECESS: Meeting was recessed at 7:47 PM and resumed at 8:00 PM

## 7. OLD BUSINESS - Adoption of the Telecommunications Plan Update

The Commission Secretary read the title of the resolution adopting the 2004 Update to the Telecommunications Plan.

President Myatt introduced the Update and noted the hearing held by the Commission at its previous meeting. President Myatt noted comments by Access San Francisco, SBC and a member of SPUR. President Myatt stated that SBC had requested that the Update be modified to change the characterization

### Public testimony

Linda Crayton, speaking on behalf of Comcast claimed that the information in the 2004 Update characterizing Comcast's cable rebuild was inaccurate because it relied on information from Comcast's September 2003 Rebuild Progress Report and the company had made further advances on its upgrade since then. Ms. Crayton indicated that Comcast offered upgraded service to over 99% of homes passed by the company in San Francisco and that the company's upcoming Rebuild Progress Report to be submitted on March 30 would reflect that. Ms. Crayton returned to suggest that not only the 2004 Update's data but its characterization of broadband deployment should be changed.

Lynn Bunim, representing SBC, stated that the company's concern about the 2004 Update was broader than the characterization of the policy to encourage broadband competition. Ms. Bunim asserted that at the Commission's previous meeting SBC had demonstrated that San Francisco's residents and businesses have a choice of broadband providers.

Deputy City Attorney Gelb explained the Commission's procedural options for addressing the concerns raised by Comcast.

### Commissioners' comments -

President Myatt suggested that the 2004 Update should not be amended as requested by Comcast and SBC. President Myatt asked DTIS to send a separate report to the Board of Supervisors when it received data from Comcast.

Commissioner Inadomi suggested that the 2004 Update should be amended to index the Federal Communications Commission's definition of "advanced services" which refers to data transmission rates of at least 200 kilobits per second bi-directionally. The Commission agreed to include this amendment.

The Commission voted four (4) ayes to adopt the 2004 Update as amended.

## 8. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission is scheduled for April 26, 2004, City Hall, Room 400, 5:30p.m.

### Public testimony - none.

### Commissioners' comments - none.

## 9. GENERAL PUBLIC TESTIMONY- None

## ADJOURNMENT

President Myatt adjourned the meeting at 8:22 p.m.

Respectfully submitted,

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The full text and video of this hearing may be accessed on the SFGTV website  
entitled Telecommunications Commission, March 22, 2004

<http://majestic.ipolis.net/ops/tplgen.php?X=C1001&T=sfgtv&S=R4-400>



## Telecommunications Commission

April 26, 2004 (Cancelled)

≡ CANCELLATION NOTICE  
OF THE REGULAR MEETING OF THE

≡ TELECOMMUNICATIONS COMMISSION  
of the  
CITY AND COUNTY OF SAN FRANCISCO

Please note that the regular meeting of the Telecommunications Commission  
for April 26, 2004 5:30 p.m.  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400  
is cancelled.

DOCUMENTS DEPT.

SEP - 9 2004

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Please Note:

Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit [www.sfgov.org](http://www.sfgov.org) and click on the "SFGTV Online" link at the start time of the meeting.

General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5<sup>th</sup> Floor, San Francisco, CA 94103 or emailed to [Telecommunications\\_Commission@ci.sf.ca.us](mailto:Telecommunications_Commission@ci.sf.ca.us).

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· Agenda packets items, as noted on the Communications page, are available for public review on the Commission's web site (see address above), the San Francisco Main Public Library, 5<sup>th</sup> Floor, Government Documents Section or by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5<sup>th</sup> Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying applicable Commission documents at DTIS, payable at the time of service.

Commission Information:

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subject to change.

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### SUNSHINE ORDINANCE

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# NOTICE

## REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, May <sup>29</sup>23, 2004, 5:30 PM  
City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

### AGENDA

There is one action item on this agenda.

All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three minutes during the "Public Comment" item on the agenda.

DOCUMENTS DEPT.

#### 1) CALL TO ORDER, ROLL CALL

MAY 21 2004

J. Michael Myatt, President  
Sunil Daluvoy, Vice President  
Kimberlee S. Bogen, Commissioner  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

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#### 2) APPROVAL OF THE MINUTES

ACTION ITEMS

(Commissioners will vote to adopt the minutes. The handout associated with these items are the minutes from the March 22, 2004 meeting)

Adoption of the Minutes – March 22, 2004 Regular Meeting.

- Public Testimony
- Commissioners' Comments



### **3) COMMUNICATIONS**

**FOR DISCUSSION ONLY**

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

### **4) DIRECTOR'S REPORT (Lewis Loeven)**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

### **5) DEPUTY DIRECTOR'S POLICY REPORT**

**FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

### **6) NEW BUSINESS**

**FOR DISCUSSION ONLY**

#### **Hearing on Cybersecurity for Government IT Systems and Networks & Spam Policy Issues**

Counterpane, Paul Stitch CEO  
Ascendent Telecom, Stephen Forte, Founder & Chairman  
Network Associates, Toby Buschini  
Akamai, Bill Weihl, CTO  
Openwave, Representative

- Public Testimony
- Commissioners' Comments

### **7) CALENDAR MATTERS**

(There is no handout associated with these items.)

- The regular meeting of the Telecommunications Commission is scheduled for June 28, 2004 in City Hall, Room 400, 5:30 p.m.



- Public Testimony
- Commissioners' Comments

**8) GENERAL PUBLIC TESTIMONY**

**FOR DISCUSSION ONLY**

**9) ADJOURNMENT**



## COMMUNICATIONS PAGE

### COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the May 24, 2004 Commission meeting.
2. Draft minutes of the regular meeting of March 22, 2004.
3. Deputy Director's report.
4. Good Government Legal Guide – March 2004 – Dennis J. Herrera, City Attorney of San Francisco

### COMMUNICATIONS RECEIVED FROM THE PUBLIC

**March 18, 2004 – May 20, 2004**

1. April 19, 2004 e-mail from Judy Chang regarding AT&T Wireless customer service and billing practices.
2. April 23, 2004 e-mail from John Schambre regarding Comcast rate increase and undergrounding delays.
3. April 30, 2004 e-mail from John Grele regarding City control over Comcast cable programming.
4. May 6, 2004 and April 15, 2004 e-mail inquiries regarding posting of the telecom plan.



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## Telecommunications Commission

May 24, 2004 (Draft)

REGULAR MEETING OF THE  
TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

DRAFT  
MINUTES

May 24, 2004

CITY HALL

ROOM 400  
5:30 P.M.

COMMISSIONERS

J. Michael Myatt, President  
Sunil V. Daluvoy, Vice President  
Kimberlee S. Bogen  
Elizabeth Inadomi  
Michael Rouan

Mary Jung, Acting Commission Secretary

Lewis Loeven III, Executive Director  
DEPARTMENT OF TELECOMMUNICATIONS  
AND INFORMATION SERVICES (DTIS)

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### 1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Myatt at 5:29 p.m., and roll was called by the Commission Secretary.

Present: President J. Michael Myatt  
Vice President Sunil V. Daluvoy  
Commissioner Elizabeth Inadomi  
Commissioner Michael Rouan  
Commissioner Kimberlee S. Bogen

#### 1. APPROVAL OF THE MINUTES

a. Adoption of the Minutes - March 22, 2004 Regular Meeting

The motion was approved with five ayes; none opposed.

Public Testimony: none.

### 3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.

#### 4. DIRECTOR'S REPORT

Executive Director Loeven described the City's effort to close its budget gap. Mr. Loeven noted that there was a proposed 60% staff reduction in DTIS' Policy Planning and Compliance Division and noted that it was unlikely that the Commission Secretary position would be funded in the next year. In addition, Mr. Loeven noted that Supervisor Ma had introduced the Update to the Telecommunications Plan. Finally, Mr. Loeven noted the passing of DTIS policy analyst Brian Wilson.

Public Testimony: None

Commissioner Comment-President Myatt asked that the Commission Meeting be dedicated to the memory of Mr. Wilson.

#### 5. DEPUTY DIRECTOR'S POLICY REPORT

Brian Roberts presented the Deputy Directors written report included in the agenda packet.

Public Comments: None

Commissioners' Comments:

Commissioner Inadomi asked that the Commission be provided a copy of the City's comments in the CPUC's VoIP proceeding.

#### 6. New Business -- Hearing on Cybersecurity for Government IT Systems and Networks Policy Issues

President Myatt introduced this item and asked Commissioner Dulavoy to introduce the item. Commissioner Dulavoy introduced the following presenters were invited by the Commission to make presentations on cybersecurity for government IT systems.

Counterpane, Paul Stitch CEO

Ascendent Telecom, Stephen Forte, Founder & Chairman

Network Associates, Toby Buschini

President Myatt made closing comments and called for public comments.

Public Comments- None:

#### 7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission is scheduled for June 28, 2004, City Hall, Room 400, 5:30p.m.

Public testimony - none.

Commissioners' comments - none.

8. GENERAL PUBLIC TESTIMONY- None

ADJOURNMENT

President Myatt adjourned the meeting at 8:22 p.m.

Respectfully submitted,

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The full text and video of this hearing may be accessed on the SFGTV website  
entitled Telecommunications Commission, May 24, 2004  
[http://www.sfgov.org/site/sfgtv\\_index.asp?id=11516#Telecommunications](http://www.sfgov.org/site/sfgtv_index.asp?id=11516#Telecommunications)



## Telecommunications Commission

June 28, 2004

### NOTICE

REGULAR MEETING OF THE  
TELECOMMUNICATIONS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

Monday, June 28, 2004, 5:30 PM  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 400

### AGENDA

There is one action item on this agenda.  
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three minutes during the "Public Comment" item on the agenda.

#### 1) CALL TO ORDER, ROLL CALL

J. Michael Myatt, President  
Sunil Daluvoy, Vice President  
Kimberlee S. Bogen, Commissioner  
Elizabeth Inadomi, Commissioner  
Michael Rouan, Commissioner

#### 2) APPROVAL OF THE MINUTES ACTION ITEMS

(Commissioners will vote to adopt the minutes. The handout associated with these

items are the minutes from the May 24, 2004 meeting)

Adoption of the Minutes - May 24, 2004 Regular Meeting.

- Public Testimony

- Commissioners' Comments

#### 3) COMMUNICATIONS FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony

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- Commissioners' Comments

2) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- Recent Events

(There is no handout associated with this item.)

- Public Testimony

- Commissioners' Comments

2) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- Federal Legislation;
- State Legislation;
- Municipal Legislation;
- Court Proceedings;
- Administrative Proceedings

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

2) NEW BUSINESS FOR DISCUSSION ONLY

Hearing on Spam

Scott Melendez, DTIS

- Public Testimony
- Commissioners' Comments

3) CALENDAR MATTERS

(There is no handout associated with these items.)

- The regular meeting of the Telecommunications Commission is scheduled for July 26, 2004 in City Hall, Room 400, 5:30 p.m.

- Public Testimony
- Commissioners' Comments

#### GENERAL PUBLIC TESTIMONY FOR DISCUSSION ONLY

#### 2) ADJOURNMENT

#### COMMUNICATIONS PAGE

#### COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the June 28, 2004 Commission meeting.
2. Draft minutes of the regular meeting of May 24, 2004.
3. Deputy Director's report.
4. Comments and Reply Comments of the City and County of San Francisco before the Public Utilities Commission of California, Investigation 04-02-007.

#### COMMUNICATIONS RECEIVED FROM THE PUBLIC

May 21, 2004 - June 24, 2004

1. June 8, 2004 e-mail from Kristen Rockas regarding discontinuation of printed guide to cable programming by Comcast (formerly AT&T Broadband).
2. June 23, 2004 e-mail forwarding June 5, 2004 letter from Steve Zeltzer to John Tunni and Carmelita Harris, CTC Board Members, regarding the functioning of CTC.

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